

Form 27 - GENERAL PURPOSE

MAYERSON & ASSOCIATES

ATTN:

U.S. DISTRICT SOUTHERN COURT NEW YORK COUNTY

H.M.AN M.M. ON BEHALF OF J.M. AND plaintiff
A.M.

- against -

NEW YORK CITY DEPARTMENT OF defendant
EDUCATION

Index No. 08 CV 01230

Date Filed

Office No.

Court Date: / /

STATE OF NEW YORK, COUNTY OF NEW YORK

:SS:

JOEL GOLUB being duly sworn, deposes and says:

I am over 18 years of age, not a party to this action, and reside in the State of New York.

That on the 29th day of February, 2008 at 12:15 PM.,

at

%MICHAEL A. CARDOZO, ESQ. THE CITY OF NY LAW DEPT.

100 CHURCH ST. 4TH FL. NY, NY 10007

I served a true copy of the

AMENDED

COMPLAINT

upon NEW YORK CITY DEPARTMENT OF EDUCATION

the DEFENDANT therein named,

by delivering to, and leaving personally with

TAMEKIA MENDES GAMMON, CLERK AUTHORIZED TO ACCEPT

a true copy of each thereof.

Deponent describes the person served as aforesaid to the best of deponent's ability at the time and circumstances of the aforesaid service as follows:

SEX: **FEMALE**

COLOR: **BLACK**

HAIR: **BLACK**

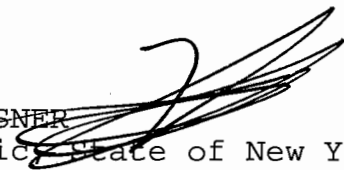
APP. AGE: 27

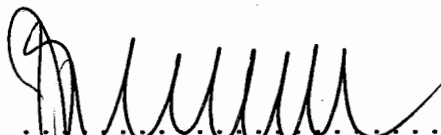
APP. HT: 5:6

APP. WT: 125

OTHER IDENTIFYING FEATURES:

Sworn to before me this
29th day of February, 2008n


KENNETH WISSNER
Notary Public State of New York
No. 01WI4714130
Qualified in NEW YORK COUNTY
Commission Expires 03/30/2010


JOEL GOLUB 701893
ARTNA CENTRAL JUDICIAL SERVICES
225 BROADWAY, SUITE 1802
NEW YORK, NY, 10007
Reference No: 7MA7114910

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

H.M. and M.M., on behalf of J.M. and A.M.,

Plaintiffs

- against -

New York City Department of Education,

Defendant.

AMENDED COMPLAINT

08 CV 01230 (WHP) (MHD)

2008 FEB 29 PM 12:14
CITY OF N.Y. LAW DEPT.
DEPT. OF CORR. & JAIL
COMMUNICATIONS SECTION

19/0
Plaintiffs, H.M. and M.M., on behalf of J.M. and A.M., by their attorneys, Mayerson & Associates, as and for their Complaint against defendant, the New York City Department of Education ("NYCDOE"), allege and states the following:

1. Plaintiffs J.M. and A.M., children of plaintiffs H.M. and M.M., are minor children who have been diagnosed with an autism spectrum disorder. J.M. and A.M. were at all relevant times a student residing within the New York City School District entitled to all rights, entitlements, and procedural safeguards mandated by applicable law and statutes including, but not limited to the Individuals with Disabilities Education Improvement Act ("IDEIA"), 20 U.S.C. § 1400, *et seq.*, the pertinent implementing regulations promulgated under the Code of Federal Regulations, Article 89 of the New York State Education Law and Part 200 of the Commissioner's Regulations.

2. Plaintiffs H.M. and M.M. are the parents of J.M. and A.M. Plaintiffs are residents of the State of New York, residing at all relevant times at an address within the New York City school district.

EDUCATION